

**Appl. No. 10/715,250
Amdt. dated June 27, 2007
Reply to Office Action of April 9, 2007**

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figure 3. The attached replacement sheet, which includes only Figure 3, replaces the original sheet including Figure 3. In Figure 3, the reference numeral of the "WEB SERVER" has been amended from numeral 310 to numeral 312 to be in accordance with the specification and claims as filed. No new matter is introduced by this amendment to the drawings.

Attachment : Replacement Sheet (Sheet 3/3)

REMARKS/ARGUMENTS

Applicants have received the Office Action dated April 9, 2007, in which the Examiner: 1) objected to the specification due to the inclusion of browser-executable code; 2) objected to claim 1 because of informalities; 3) rejected claims 7-12 under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter; 4) rejected claims 1-8, 11-13 and 16-21 under 35 U.S.C. § 102(b) as allegedly anticipated by Jennings et al. (U.S. Pat. No. 6,717,593, hereinafter “Jennings”); 5) rejected claims 9 and 14 under 35 U.S.C. § 103(a) as allegedly obvious under Jennings in view of Lerner (U.S. Pat. No. 6,192,395, hereinafter “Lerner”); and 6) rejected claims 10 and 15 as allegedly obvious under Jennings in view of Elkan (U.S. Pub. No. 2002/0055940, hereinafter “Elkan”).

With this Response, Applicants have amended the specification and Figure 3 of the drawings. Applicants have also amended claims 1, 5, 7, 12, 17, 18 and 21, canceled claims 8, 11, 13 and 16, and added new claims 22-24. Claims 1 and 18 are amended to correct typographical errors and claims 5 and 21 are amended to correct antecedent basis issues. Amendments to claims 1, 5, 18 and 21 do not narrow the scopes of those claims.

I. SPECIFICATION

The Examiner objected to the specification because it included an embedded hyperlink and/or other form of browser-executable code. Accordingly, Applicants have amended the browser-executable code in the specification so that it is no longer executable by a browser. No new matter has been introduced. In accordance with MPEP § 608.01, the amended code does not link to a commercial site external to the USPTO. Because Applicants have complied with the Examiner’s request, Applicants kindly request the Examiner to remove this objection.

II. CLAIM OBJECTION

The Examiner objected to claim 1 because line 1 of claim 1 did not end with a colon. Applicants have amended claim 1 so that line 1 ends with a colon. Accordingly, Applicants respectfully request the Examiner to remove this objection.

III. REJECTIONS UNDER 35 U.S.C. § 101

The Examiner rejected independent claim 7 and dependent claims 8-12 because claim 7 allegedly failed to recite a practical application associated with a useful, concrete and tangible result. Although Applicants disagree with the Examiner's assertion, in the interest of compact prosecution, Applicants amend claim 7 to recite "using [a] web-browser to display ... application data on a display." At least for this reason, amended claim 7 recites a practical application associated with a useful, concrete and tangible result. Because Applicants have complied with the Examiner's request, Applicants respectfully request the Examiner to remove this rejection.

IV. REJECTIONS UNDER 35 U.S.C. § 102(b)

The Examiner rejected claims 1-8, 11-13 and 16-21 under 35 U.S.C. § 102(b) as anticipated by Jennings. Applicants respectfully traverse the Examiner's rejections.

A. Claims 1-6

Independent claim 1 requires "a facade server stored in [a] memory unit and executable by [a] CPU, wherein the facade server hosts [an] application without utilizing network protocols." In paragraph 11 of the Office Action, the Examiner asserts that Jennings discloses this limitation in col. 8, ll. 27-65. Specifically, the Examiner states that "the 'interactor' can download the necessary XML and JavaScript files from the server using inter-process communication instead of an HTTP connection when the server is co-located on the same computer with the interactor, thereby meeting this claim limitation." Applicants respectfully disagree with the Examiner's analysis.

The portion of Jennings cited by the Examiner as allegedly disclosing the limitation in question alludes to Figures 1-3 of Jennings. Referring to Figures 1-3 of Jennings, Applicants are unsure as to whether the Examiner construes the "facade server" of claim 1 to be the server 110 of Jennings or the interactor 130 of Jennings. Clarification is requested. However, as Applicants now demonstrate, in either case, Jennings fails to teach "a facade server stored in [a] memory unit and

executable by [a] CPU, wherein the facade server hosts [an] application without utilizing network protocols,” as required by claim 1.

The server 110 of Jennings cannot be construed as the “facade server” of claim 1 because the facade server of claim 1 is both “stored in [a] memory unit” and is “executable by [a] CPU.” Server 110 of Jennings is a **hardware** server (col. 4, ll. 13-15). As is commonly known, hardware cannot be stored in memory, as can the facade server of claim 1, nor is hardware executable, as is the facade server of claim 1. For at least these reasons, the server 110 does not constitute the “facade server” of claim 1.

Similarly, the interactor 130 of Jennings also cannot be construed as the “facade server” of claim 1, because the interactor 130 does not “host an application” as does the facade server of claim 1. Referring to Figures 1 and 3 of Jennings, the “purpose [of the interactor 130] is to merely implement the user interface [132]” (col. 8, ll. 25-26; emphasis added). Specifically, as shown in Figure 3, the interactor 130 implements the user interface 132 by using information from the documents 122, 124 and plug-ins 126, 128 to produce interface 132. In turn, the interface 132 is used by a user to interact with application 120, which runs on hardware server 110. At no point does the interactor 130 “host an application” as does the facade server of claim 1.

Thus, at least because neither the server 110, the interactor 130, nor any other component of Jennings constitutes “a facade server stored in [a] memory unit and executable by [a] CPU, wherein the facade server hosts [an] application without utilizing network protocols,” independent claim 1 is allowable over Jennings. Dependent claims 2-6 are allowable over Jennings for at least the same reasons as is claim 1.

B. Claims 7, 9-10 and 22-23

As amended, independent claim 7 requires “generating application data from a web-based application hosted on an executable facade server via a web-server interface.” Jennings fails to teach or even suggest this limitation.

Specifically, as discussed above in reference to claim 1, Jennings fails to teach or even suggest any type of “facade server” which is both “executable” and

is used to host “a web-based application.” Claim 7 is allowable over Jennings for at least this reason. However, even if, for the sake of argument, Jennings did disclose such a facade server and web-based application (which it does not), Jennings still fails to disclose or suggest a “web-server interface” **by which** the web-based application is hosted on the executable facade server. Thus, claim 7 is even further allowable over Jennings for at least this additional reason. Dependent claims 9-10 and 22-23 are allowable over Jennings for at least the same reasons as is claim 7.

C. Claims 12, 14-15 and 24

As amended, claim 12 requires “generating application data from a web-based application hosted on an executable facade server via a web-server interface.” As discussed above in reference to claim 7, Jennings fails to teach or suggest this limitation. Claim 12 is allowable over Jennings for at least this reason. Dependent claims 14-15 and 24 are allowable over Jennings for at least the same reasons as is claim 12.

D. Claims 17-21

Independent claim 17 requires “means for hosting [a] web-based application, wherein the means for hosting the web-based application is stored in ... means for storing data and executable by ... means for executing programs.” Claim 17 also requires “wherein the means for hosting the web-based application does not utilize network protocols.” As discussed above in reference to claim 1, Jennings fails to teach or even suggest these limitations. Thus, claim 17 is allowable over Jennings. Dependent claims 18-21 are allowable over Jennings for at least the same reasons as is claim 17.

V. REJECTIONS UNDER 35 U.S.C. § 103(a)

The Examiner rejected claims 9 and 14 under 35 U.S.C. § 103(a) as obvious under Jennings in view of Lerner. However, because claims 9 and 14 are allowable over Jennings and further because Lerner fails to satisfy the deficiencies of Jennings, claims 9 and 14 are allowable over the combination of Jennings and Lerner.

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The Examiner rejected claims 10 and 15 under 35 U.S.C. § 103(a) as obvious under Jennings in view of Elkan. However, because claims 10 and 15 are allowable over Jennings and further because Elkan fails to satisfy the deficiencies of Jennings, claims 10 and 15 are allowable over the combination of Jennings and Elkan.

VI. CONCLUSION

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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